

Michael Alan Yocom BE-1244
 Name and Prisoner/Booking Number
Salinas Valley State Prison
 Place of Confinement
P.O. Box 1050
 Mailing Address
Soledad, CA 93960
 City, State, Zip Code

FILED

APR 01 2021

CLERK, U.S. DISTRICT COURT
 EASTERN DISTRICT OF CALIFORNIA
 BY DR
 DEPUTY CLERK

(Failure to notify the Court of your change of address may result in dismissal of this action.)

**IN THE UNITED STATES DISTRICT COURT
 FOR THE EASTERN DISTRICT OF CALIFORNIA**

Michael Alan Yocom
 (Full Name of Plaintiff) Plaintiff,

v.

CASE NO. 1:21-CV-00557-NO NE-SKO
 (To be supplied by the Clerk)

(1) County of Tulare et. al.
 (Full Name of Defendant)

(2) Mathew Douglas Reuter

(3) City of Porterville et. al.

(4) Bruce Sokoloff

Defendant(s).

☐ Check if there are additional Defendants and attach page 1-A listing them.

**CIVIL RIGHTS COMPLAINT
 BY A PRISONER**

- ☒ Original Complaint
☐ First Amended Complaint
☐ Second Amended Complaint

RECEIVED

APR 01 2021

CLERK, U.S. DISTRICT COURT
 EASTERN DISTRICT OF CALIFORNIA
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A. JURISDICTION

1. This Court has jurisdiction over this action pursuant to:

- ☒ 28 U.S.C. § 1343(a); 42 U.S.C. § 1983
☐ 28 U.S.C. § 1331; Bivens v. Six Unknown Federal Narcotics Agents, 403 U.S. 388 (1971).
☐ Other: _____

2. Institution/city where violation occurred: Tulare County rural area

B. DEFENDANTS

1. Name of first Defendant: County of Tulare et al. The first Defendant is employed as:
 _____ at _____
 (Position and Title) (Institution)
2. Name of second Defendant: Mathew Douglas Reuter The second Defendant is employed as:
Tulare County Deputy Sheriff at Tulare County Sheriff's Dept.
 (Position and Title) (Institution)
3. Name of third Defendant: City of Porterville et al. The third Defendant is employed as:
 _____ at _____
 (Position and Title) (Institution)
4. Name of fourth Defendant: Bruce Sokoloff The fourth Defendant is employed as:
City of Porterville Police Officer at City of Porterville Police Dept.
 (Position and Title) (Institution)

If you name more than four Defendants, answer the questions listed above for each additional Defendant on a separate page.

C. PREVIOUS LAWSUITS

1. Have you filed any other lawsuits while you were a prisoner? ☒ Yes ☐ No
2. If yes, how many lawsuits have you filed? 4. Describe the previous lawsuits:
 - a. First prior lawsuit:
 1. Parties: Michael Yocom v. Tina Foss
 2. Court and case number: 19 CV 82949
 3. Result: (Was the case dismissed? Was it appealed? Is it still pending?) pending
 - b. Second prior lawsuit:
 1. Parties: Michael Yocom v. Kathleen Allison et al
 2. Court and case number: 2: 20-cv-02467-KJM-AC
 3. Result: (Was the case dismissed? Was it appealed? Is it still pending?) pending
 - c. Third prior lawsuit:
 1. Parties: Michael Yocom v. Kathleen Allison et al.
 2. Court and case number: 2: 21-cv-00311-DB
 3. Result: (Was the case dismissed? Was it appealed? Is it still pending?) pending

If you filed more than three lawsuits, answer the questions listed above for each additional lawsuit on a separate page.

D. CAUSE OF ACTION

14th Amend.

CLAIM I

1. State the constitutional or other federal civil right that was violated: 8th Amend. cruel & unusual punishment/torture

2. **Claim I.** Identify the issue involved. Check **only one**. State additional issues in separate claims.

- | | | | |
|---|---|---|---------------------------------------|
| <input type="checkbox"/> Basic necessities | <input type="checkbox"/> Mail | <input type="checkbox"/> Access to the court | <input type="checkbox"/> Medical care |
| <input type="checkbox"/> Disciplinary proceedings | <input type="checkbox"/> Property | <input type="checkbox"/> Exercise of religion | <input type="checkbox"/> Retaliation |
| <input checked="" type="checkbox"/> Excessive force by an officer | <input type="checkbox"/> Threat to safety | <input checked="" type="checkbox"/> Other: <u>attempt murder conspiracy</u> | |

3. **Supporting Facts.** State as briefly as possible the FACTS supporting Claim I. Describe exactly what each Defendant did or did not do that violated your rights. State the facts clearly in your own words without citing legal authority or arguments.

on 08-28-2016, Defendant Matthew Douglas Reuter was a "Rookie" Tulare County Deputy Sheriff and used excessive force on me, used excessive force deadly, and actually attempted to murder me. Deputy Reuter the Defendant was not properly equipped with nonlethal Tazer and not lawfully performing his duties when he the defendant unlawfully seized me, pulled his baton on me, pulled his firearm out on me, and proceeded to charge me baton striking me multiple times and for no justifiable reason dropped his firearm out and put his firearm right to my forehead and pulled the trigger shooting me. Then as I attempted to walk away from him he the defendant shoots (6) six more times into the back side of my body with the firearm impairing both my arms permanently. I was not armed nor a danger to anyone and (11) eleven shots were fired at me. Deputy Reuter was not properly trained and properly supervised, and never even required to write a Sheriff's report after his use of deadly force. The County of Tulare, and the City of Porterville et al. Defendants, and the State of California falsely and unlawfully justified the force used and seizure and illegally conspired and framed me for crime violating every civil right I had and tortured me as a pre-trial detainee with multiple other assaults excessive force incidents

4. **Injury.** State how you were injured by the actions or inactions of the Defendant(s).

Both my arms are permanently impaired. All my civil rights violated when unlawfully seized and detained by excessive force and framed for crime to justify the shooting. Deputy Reuter perpetrates fraud, lies, and exaggerations and perjury

5. **Administrative Remedies:**

- Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution? ☒ Yes ☐ No
- Did you submit a request for administrative relief on Claim I? ☒ Yes ☐ No
- Did you appeal your request for relief on Claim I to the highest level? ☒ Yes ☐ No
- If you did not submit or appeal a request for administrative relief at any level, briefly explain why you did not. I submitted a citizen's complaint form to internal affairs of the Sheriff's Dept. and the City of Porterville Police Dept.

CLAIM II

1. State the constitutional or other federal civil right that was violated: 4th and 6th and 14th
Amend was violated in my "unreasonable seizure"

2. **Claim II.** Identify the issue involved. Check **only one**. State additional issues in separate claims.

- ☐ Basic necessities ☐ Mail ☐ Access to the court ☐ Medical care
☐ Disciplinary proceedings ☐ Property ☐ Exercise of religion ☐ Retaliation
☐ Excessive force by an officer ☐ Threat to safety ☒ Other: Kidnap - False imprisonment
Kangaroo Court

3. **Supporting Facts.** State as briefly as possible the FACTS supporting Claim II. Describe exactly what each Defendant did or did not do that violated your rights. State the facts clearly in your own words without citing legal authority or arguments.

The County of Tulare and the Defendant Deputy Reuter and the Defendant Hernandez initially unlawfully seize me at the scene of the Aug. 29th, 2016, officer involved shooting incident. The County of Tulare and the Tulare County Sheriff's Dept. maintained ~~an~~ unlawful detention on me ~~and~~ flown to a Hospital in Tulare County, and as I was transported further to a Hospital out of the jurisdictions of the Sheriff's Dept. into a Fresno County Hospital and no evidence of a lawful arrest warrant, and no book sheets of County Jail. The City Porterville and (5) Five Defendants Police officers / Detectives acting under the color of authority - without actual authority are mysteriously called to the scene of the officer involved shooting by unnamed persons and asked allegedly to investigate the shooting out of their jurisdictions. Defendant Police Officer Detective Bruce Sokoloff is asked by unknown persons to be the lead case agent or Detective. Defendants Martin, Dominguez, Ward and Nix are Police officers / Detectives. They fail to bring their own crime. They tamper with witnesses and evidence and confiscate, outside their jurisdictions pursue me all the way into Fresno County Room and allegedly author booking sheets on me and read me my Miranda Rights unlawfully seize me. Nobody Defendants from the Sheriff's Dept. or the City Police ever testify in a Court of Law to a lawful seizure investigations and chain of custody of any alleged evidence to support the foundations for a lawful seizure. I was kidnap and False imprisoned Framed

4. **Injury.** State how you were injured by the actions or inactions of the Defendant(s).

40 years to life with Parole and 4 1/2 years Served.

5. **Administrative Remedies.**

- a. Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution? ☒ Yes ☐ No
- b. Did you submit a request for administrative relief on Claim II? ☒ Yes ☐ No
- c. Did you appeal your request for relief on Claim II to the highest level? ☒ Yes ☐ No
- d. If you did not submit or appeal a request for administrative relief at any level, briefly explain why you did not. Unlawful and unjustified Screenings that's in the
additional lawsuit that I need consolidated with the this one.

CLAIM III

1. State the constitutional or other federal civil right that was violated: 8th Amend cruel & unusual punishments/ Torture

2. **Claim III.** Identify the issue involved. Check **only one**. State additional issues in separate claims.

- ☐ Basic necessities ☐ Mail ☐ Access to the court ☒ Medical care
☐ Disciplinary proceedings ☐ Property ☐ Exercise of religion ☐ Retaliation
☐ Excessive force by an officer ☐ Threat to safety ☒ Other: Pretrial Detainee Torture with extreme deliberate indifference

3. **Supporting Facts.** State as briefly as possible the FACTS supporting Claim III. Describe exactly what each Defendant did or did not do that violated your rights. State the facts clearly in your own words without citing legal authority or arguments.

The County of Tulare and the Defendant Deputy Renter deliberately and unjustifiably used extreme excessive force on me Aug. 28th, 2016, mutilating both my arms with severe gunshot wounds and had my temporary surgical repairs in first surgeries to be followed up with 2nd vision surgeries in 8 weeks both arms. I would be housed as a Pretrial Detainee in the Tulare County Jail Pretrial Facility approx. 09-07-2016 under the care of Defendants Corizon Jail medical Teams and Defendant Medical Doctor Tracy Levens was deliberately indifferent to extreme pain in both arms gunshots and failed to medical transport me for 8 week followup revision surgeries on both arms. Additionally, deliberately indifferent to me going into major organs failures from esophagus to stomach to rectum within a few months of arrival. Defendant Levens refused to rehospitalize me in Emergency care and Corizon medical Teams throughout my Pretrial Detainee stay in Jail. I was literally Tortured to a state of imminent death and to terminal illness or conditions that may of been cured if addressed immediately by emergency hospitalization or immediate experts evals and treatments. I was assaulted multiple times with excessive force by Jail Deputies and unjustifiably segregated without the rights to redress grievances. Plaintiff wishes to reserve the rights to depose further in depositions this whole subject claims. 09-07-2016 to June 5th, 2018

4. **Injury.** State how you were injured by the actions or inactions of the Defendant(s).

Tortured with both remaining severely gunshot broken and impaired throughout stay in Jail no 2nd opinions or repairs. Permanent injuries to my vital organs throughout stay. Terminal illness that may of been cured if treated immediately.

5. **Administrative Remedies.**

- a. Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution? ☒ Yes ☐ No
- b. Did you submit a request for administrative relief on Claim III? ☒ Yes ☐ No
- c. Did you appeal your request for relief on Claim III to the highest level? ☒ Yes ☐ No
- d. If you did not submit or appeal a request for administrative relief at any level, briefly explain why you did not. when the Defendants would even give me a grievance Nobody cared to respond to and it disappeared, no redress of grievance

If you assert more than three Claims, answer the questions listed above for each additional Claim on a separate page.

E. REQUEST FOR RELIEF

State the relief you are seeking:

Plaintiff is suing all Defendants in their individual and official capacities
in an unlimited civil rights lawsuit. Plaintiff also moves the Court to
consolidate his civil rights lawsuit in the U.S. Dist. Courthouse in Sacramento
Div. of the East Dist. Case no. 2:20-cv-02467-KJM-AC with this civil rights
complaints because they directly relate with each other. Plaintiff moves for
an immediate emergency Settlement Conference or Court Hearing. Plaintiff
wishes to reserve rights to Amend to reTitle complaints giving the proper
Highest Authorities and persons

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 4-26-2021
DATE


SIGNATURE OF PLAINTIFF

(Name and title of paralegal, legal assistant, or
other person who helped prepare this complaint)

(Signature of attorney, if any)

(Attorney's address & telephone number)

ADDITIONAL PAGES

All questions must be answered concisely in the proper space on the form. If you need more space you may attach more pages, but you are strongly encouraged to limit your complaint to twenty-five pages. If you attach additional pages, be sure to identify which section of the complaint is being continued and number all pages. Remember, there is no need to attach exhibits to your complaint.